

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

|    |                           |   |                        |
|----|---------------------------|---|------------------------|
| 07 | UNITED STATES OF AMERICA, | ) |                        |
| 08 | Plaintiff,                | ) | Case No. CR97-283-RSL  |
| 09 | v.                        | ) |                        |
| 10 | TIMOTHY MICHAEL MITCHELL, | ) | SUMMARY REPORT OF U.S. |
| 11 | Defendant.                | ) | MAGISTRATE JUDGE AS TO |
| 12 |                           | ) | ALLEGED VIOLATIONS     |
|    |                           | ) | OF SUPERVISED RELEASE  |

13 An initial hearing on a petition for violation of supervised release was held before the  
14 undersigned Magistrate Judge on May 8, 2008. The United States was represented by Assistant  
15 United States Attorney Brian Werner, and the defendant by Mr. Lee Covell.

16 The defendant had been charged and convicted of Count 1: Possession of  
17 Methamphetamine with Intent to Distribute, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B);  
18 Count II: Money Laundering, in violation of 18 U.S.C. § 1956(a)(1)(A)(i); and Count III:  
19 Enhanced Penalty for Prior Felony. On or about March 27, 1998, defendant was sentenced by  
20 the Honorable Carolyn R. Dimmick to a term of one hundred forty-four (144) months in custody,  
21 to be followed by eight (8) years of supervised release.

22 The conditions of supervised release included the requirements that the defendant comply  
23 with all local, state, and federal laws, and with the standard conditions. Special conditions  
24 imposed included, but were not limited to, participation in a substance abuse and mental health  
25 programs, financial disclosure, submit to search, and no new credit and/or loans without approval.

26 In a Petition for Warrant or Summons, dated May 7, 2008, U.S. Probation Officer Thomas

J. Fitzgerald asserted the following violations by defendant of the conditions of his supervised release:


- (1) Possessing cocaine, a controlled substance, on or about May 6, 2008, in violation of his mandatory condition of supervised release.
- (2) Possessing methamphetamine, a controlled substance, on or about May 6, 2008, in violation of his mandatory condition of supervised release.
- (3) Possessing marijuana, a controlled substance, on or about May 6, 2008, in violation of his mandatory condition of supervised release.
- (4) Distributing cocaine, a controlled substance, on or about May 6, 2008, in violation of federal, state and/or local law, in violation of his mandatory condition of supervised release.

The defendant was advised of his rights, acknowledged those rights, and admitted to the four alleged violations.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as to violations numbers 1, 2, 3 and 4, and that the Court conduct a hearing limited to disposition. A disposition hearing on these violations has been set before the Honorable Robert S. Lasnik on May 29, 2008, at 9:30 a.m.

Pending a final determination by the Court, the defendant has been detained.

DATED this 9th day of May, 2008.

  
JAMES P. DONOHUE  
United States Magistrate Judge

|     |                       |                           |
|-----|-----------------------|---------------------------|
| cc: | District Judge:       | Honorable Robert S.Lasnik |
|     | AUSA:                 | Mr. Brian Werner          |
|     | Defendant's attorney: | Mr. Lee Covell            |
|     | Probation officer:    | Mr. Thomas J. Fitzgerald  |